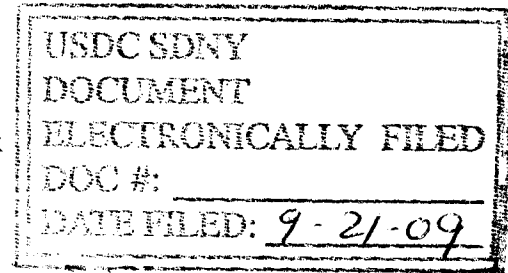


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



CHRISTINA GREEN,

Plaintiff,

-against-

THE CITY OF NEW YORK, DET. DEMOS  
MARINAKOS, SGT. MICHAEL DEVER, DET. WILLIE  
JOHNSON, DET. JENNIFER CHILDS, DET. MICHAEL  
CORVI, and DET. CHRISTOPHER WARD,

Defendants.

**STIPULATION AND ORDER  
OF DISMISSAL**

09 CV 1825 (JSR)

**WHEREAS**, plaintiff commenced this action by filing a complaint on or about February 26, 2009, alleging that her civil and state common law rights were violated; and

**WHEREAS**, defendant City of New York has denied any and all liability arising out of plaintiff's allegations; and

**WHEREAS**, defendant City served plaintiff Christina Green with a Rule 68 Offer of Judgment on or about July 23, 2009;

**WHEREAS**, plaintiff Christina Green accepted defendant City's Rule 68 Offer of Judgment on or about July 28, 2009;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed as to defendants, with prejudice, and without costs, expenses, or fees except as provided for in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiff the sum of THREE THOUSAND FIVE HUNDRED AND ONE DOLLARS (\$3,501.00), plus reasonable attorney's fees, expenses and costs, up to the date of the Rule 68 offer in full satisfaction of all claims against

defendants City of New York, Demos Marinakos, Michael Dever, Willie Johnson, Jennifer Childs, Michael Corvi and Christopher Ward. In consideration for the payment of this sum, plaintiff agrees to dismissal of all the claims, which were or could have been alleged by her, and to release all defendants, any present or former employees or agents of the City of New York, and the City of New York from any and all liability, claims, or rights of action arising from and contained in the complaint in this action.

3. Plaintiff hereby assigns her rights to attorneys' fees, expenses and costs to her attorney Michael Colihan, Esq.

4. Plaintiff shall execute and deliver to the City's attorney all documents necessary to effect this settlement, including, without limitation, a Release based on the terms of paragraph "2" above and an Affidavit of No Liens.

5. Counsel for plaintiff and defendant will resolve plaintiff's claims for reasonable attorney fees, expenses and costs and payment for those sums will be made directly to plaintiff's counsel. If, after conferring in good faith, the matter is not resolved by counsel for the parties without judicial intervention, counsel for either party may proceed by motion to seek a determination of reasonable attorney fees, expenses and costs.

6. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

7. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

8. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered

into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York  
\_\_\_\_\_, 2009

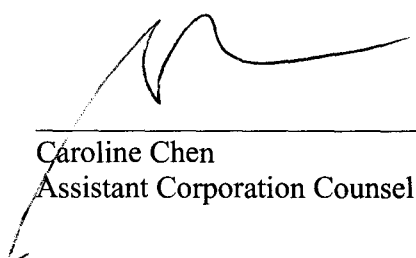
MICHAEL COLIHAN, Esq.  
Attorney for Plaintiff  
44 Court Street, Suite 911  
Brooklyn, New York 11201

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for Defendants  
100 Church Street, Room 3-199  
New York, N.Y. 10007  
(212) 788-1106


By:

  
\_\_\_\_\_  
Michael Colihan, Esq.

By:

  
\_\_\_\_\_  
Caroline Chen  
Assistant Corporation Counsel

SO ORDERED:

  
\_\_\_\_\_  
HONORABLE JED S. RAKOFF, U.S.D.J.

9-17-09